

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Sandra Schilling, *et al.*, :  
Plaintiffs : Civil Action 2:06-cv-00487  
v. : Judge Sargus  
Interim Healthcare of the Upper Ohio : Magistrate Judge Abel  
Valley, Inc., *et al.*, :  
Defendants :  
:

**ORDER**

On December 1, 2008, plaintiffs filed a notice of dismissal with prejudice (doc. 94). The notice states that plaintiffs have reached a settlement with the last remaining defendant.

Once defendants have answered the complaint, a dismissal must either be by a stipulation signed by all the parties or by order of the court. Rule 41(a)(1)(ii) and (2). Since the plaintiffs' notice of dismissal is not signed by all parties, the Court treats the notice as a motion to dismiss under Rule 41(a)(2). The motion is GRANTED. The Clerk of Court is DIRECTED to enter JUDGMENT dismissing this case as settled.

1-20-2009  
DATE

  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE